

**IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**JOHN DEERE CONSTRUCTION &
FORESTRY COMPANY, INC., a
Delaware corporation, and DEERE &
COMPANY, a Delaware corporation,**

Plaintiffs,

V.

**DREW HOOVER, an individual, and
KIMBERLY HOOVER, an individual,**

Defendants.

Case No. 2:07-CV-150

REPORT OF PLANNING MEETING

Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on April 16, 2007 at 1:00 PM and was attended by:

Von G. Memory for plaintiff(s);
Memory & Day
P.O. Box 4054
Montgomery, AL 36013
Tel (334) 834-8000
Fax (334) 834-8001

Collier Espy for defendant Drew Hoover;
Espy, Metcalf & Espy
PO Box 6504
Dothan, AL 36302-6504
Tel (334) 793-6288
Fax (334) 712-1617

and,

Defendant Kimberly Hoover, pro se, has not filed a response in this matter, and did not attend the planning meeting. Plaintiff will file a motion for default judgment with respect to this Defendant no later than April 20, 2007.

1. BENCH TRIAL. This civil action should be ready for trial on or after November 29, 2007. It is expected that a trial will last approximately one (1) day¹.

2. PRETRIAL CONFERENCE. The parties request a pretrial conference, September 30, 2007.

3. DISCOVERY PLAN. The parties propose to the court the following discovery plan:

All discovery shall commence and be completed on or before September 30, 2007. Also, reference and attention should be directed to the limits contained in item 8.

4. INITIAL DISCLOSURES. The parties shall exchange, prior to June 30, 2007, the information required by Fed. R. Civ. P. 26(a)(1).

5. ADDITIONAL PARTIES AND OTHER AMENDMENTS. The parties shall have until July 15, 2007, to amend the pleadings and join or add additional parties.

6. EXPERTS. The Plaintiff shall name its experts and advance Rule 26 information on or before July 15, 2007. The Defendants shall name their experts and advance Rule 26 information on or before August 15, 2007.

7. PRETRIAL DISCLOSURES. The parties shall exchange their final lists of witnesses and exhibits under Rule 26(a)(3) on or before September 15, 2007.

8. DISCOVERY LIMITS.

A maximum of 40 interrogatories by each party to any other party. Responses are due 30 days after service.

A maximum of 5 depositions by plaintiffs and 5 each by the defendants. Each deposition limited to maximum of 3 hours unless extended by agreement of parties.

A maximum of 20 requests for admission by each party to any other party are allowed. Responses are due 30 days after service.

A maximum of 30 requests for production of documents by each party to any other party are allowed. Responses are due 30 days after service.

9. DISPOSITIVE MOTIONS. All potentially dispositive motions are due on or before September 15, 2007.

10. SETTLEMENT. The parties are currently not discussing settlement. Also, the parties agree to ADR.

¹ If the case remains non-jury

Respectfully submitted this the 17th day of April 2007.

/S/James L. Day
James L. Day, Esq.

Memory & Day
P.O. Box 4054
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/S/ Collier Espy
Collier Espy, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing document on the following, by:

- ☒ placing same in the United States Mail, postage prepaid, and properly addressed
- ☒ E-mail or ECF (Pursuant to Fed. R. Bankr. P. 9036)
- ☐ facsimile
- ☐ hand delivery
- ☐ delivered in open court

on April 17, 2007.

Collier Espy, Esq.
Espy, Metcalf & Espy

PO Box 6504
Dothan, AL 36302-6504

Kimberly Hoover
211 Geohagen Cir
Laurel Hill, FL 32567

/S/ James L. Day
James L. Day